UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

GEORGE GUINDON et al.,	:	
Plaintiffs	:	
VS.	:	**C.A. NO.: 03-: 35-L**
AMERICAN FOAM CORPORATION et al.,	:	
Defendants	:	

NOTICE OF ADOPTION OF
FIRST AMENDED MASTER COMPLAINT

This acceptance form relates to:

GEORGE GUINDON, BARBARA GUINDON, Individually, BARBARA GUINDON, as Mother and Next Friend to ERICA GUINDON, a minor TAMMY AYER, as Guardian and Next Friend to KAYLA MARIE DOROTHY ABBENANTE AYER, minor,

LOUIS ROSSI, as Administrator of the Estate of JOSEPH ROSSI CHRISTOPHER SCOTT JULIANNA GIAVEN, ERIC MALARDO, MICHELLE MALARDO, RICHARD SANETTI, PATRICIA SANETTI, CATHERINE CARIGNAN, EDWARD CORBETT, JR., as Administrator of the Estate of EDWARD CORBETT, III, PAUL ROE, Individually, BETTY ROE, Individually, PAUL AND BETTY ROE, as Co-Administrators of the Estate of LORI K. DURANTE, DANIEL DAVIDSON, STEPHEN BRUNO,

Plaintiffs in the civil captioned above (C.A.No.03-335-L) notifies the Court and the parties that it hereby adopts the First Amended Master Complaint in Albert L. Gray, Administrator, et al. vs. Jeffrey Derderian, et al., C.A. No. 04-312-L.

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__X__ in its entirety; including the additional allegations and claims as set forth in the Henault, et al v. American Foam Corp, et al., C.A. No. 03-483L. "Notice of Adoption of the Amended Master Complaint"

______ adopt only those portions of said First Amended Master Complaint indicated below.

______ adopt the First Amended Master Complaint either in its Entirety or as qualified above with the following additional claims;

All adopted and additional claims set forth above constitute or are incorporated by reference into the Complaint filed in the individual case captioned above.

Plaintiffs' in C.A. No. 03-335-L
By Their Attorneys,
BRIAN CUNHA & ASSOCIATES

____
Brian R. Cunha, Esquire (#4074)
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Fall River, MA 02720
(508) 675-9500

CERTIFICATION OF SERVICE

I hereby certify that on the 14 day of January 2005 a true copy of the within was served electronically pursuant to the Court's Order to the following;

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Brian R. Cunha, Esquire

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

GEORGE GUINDON, BARBARA GUINDON, Individually
BARBARA GUINDON, as Mother and Next Friend to ERICA :
GUINDON, minor; TAMMY AYER, as Guardian and Next Friend :
to KAYLA MARIE DOROTHY ABBENANTE AYER, minor :
LOUIS ROSSI, as Administrator of the Estate of JOSEPH :
ROSSI; CHRISTOPHER SCOT; JULIANNA GIAVEN; :
ERIC MALARDO; MICHELLE MALARDO; :
RICHARD SANETTI; PATRICIA SANETTI; :
CATHERINE CARIGNAN, EDWARD CORBETT, JR. :
as Administrator of the Estate of EDWARD CORBETT, III; :
PAUL AND BETTY ROE, Individually, PAUL AND BETTY :
ROE, as Co-Administrators of the Estate of LORI K. DURANTE; :
DANIEL DAVIDSON; and STEPHEN BRUNO :

Plaintiffs :
:
:
:

AMERICAN FOAM CORPORATION; FOAMEX INTER- :
NATIONAL; BARRY H.WARNER; TRITON REALTY :
LIMITED PARTNERSHIP; JEFFREY DERDERIAN; MICHAEL :
DERDERIAN; DERCO, LLC; MANIC MUSIC MANAGEMENT,:
INC.; JACK RUSSELL, MARK KENDALL; DAVID FILICE; :
ERIC POWERS; DANIEL BICHELE; PAUL WOOLNOUGH; :
KNIGHT RECORDS, INC.; ANHEUSER-BUSCH, INC. :
INC.; MCLAUGHLIN & MORAN, INC.; LUNA TECH, INC. :
LUNA TECH PYROTECHNIC GMBH; CLEAR CHANNEL :
COMMUNICATIONS INC., d/b/a WHJY-FM; MOTIVA :
ENTERPRISES, LLC; SHELL OILCOMPANY; TOWN OF :
WEST WARWICK, DENNIS LAROCQUE, STATE OF :
RHODE ISLAND and IRVING J. OWENS. :

Defendants :

____:

PRO FORMA COMPLAINT REGARDING STATION
NIGHTCLUB FIRE LITIGATION

Plaintiffs in this matter hereby adopt and incorporate by reference the First Amended Master Complaint in Albert L. Gray, Administrator, et al. (Plaintiffs) v. Jeffrey Derderian, et al. (Defendants), C.A. No. 04-31L in its entirety.

Plaintiffs,
By their Attorneys,
BRIAN CUNHA & ASSOCIATES, P.C.

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PARTIES

PLAINTIFFS

(260) The Plaintiff, George Guindon, is an individual who at all times relevant hereto, lived in Coventry, Rhode Island. Mr. Guindon was injured as a patron of the Station night-club on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(261) The plaintiff, Barbara Guindon, individually; (a) Erica Guindon, a minor, by and through her mother and next friend, Barbara Guindon; are individuals who at all times relevant hereto lived in Coventry, Rhode Island. Mr. Guindon was an injured patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(262) The plaintiffs, Estate of Tina Marie Ayer, by and through Tammy Ayer, Administratrix; Kayla Marie Dorothy Abbenante Ayer, a minor, by and through her aunt and next friend, Tammy Ayer; are individuals who at all times relevant hereto lived in Bristol, Rhode Island. Ms. Tina Ayer was a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club. Ms. Tammy Ayer's appointment as Administratrix of the plaintiff Estate by the Warwick Probate Court is pending.

(263) The plaintiffs, Estate of Joseph Edward Rossi, by and through Louis Rossi, Administrator; are individuals who at all times relevant hereto lived in Pawtucket, Rhode Island. Mr. Rossi was a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club. Mr. Louis Rossi's appointment as Administrator of the plaintiff Estate by the Pawtucket Probate Court is pending.

(264) The plaintiff, Christopher Scott, is an individual who at all times relevant hereto, lived in West Warwick, Rhode Island. Mr. Scott was injured as a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(265) The plaintiff, Julianna Giaven, is an individual who at all times relevant hereto, lived in West Warwick, Rhode Island. Ms. Giaven was injured as a patron of The Station nightclub on February20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(266) The plaintiff, Stephen J. Bruno, is an individual who at all times relevant hereto, lived in Cranston, Rhode Island. Mr. Bruno was injured as a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(267) The plaintiff, Eric Malardo, is an individual who at all times relevant hereto, lived in Coventry, Rhode Island. Mr. Malardo was injured as a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(268) The plaintiff, Michelle Malardo, is an individual who at all times relevant hereto, lived in Coventry, Rhode Island. Ms. Malardo was injured as a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(269) The plaintiff, Richard Sanetti, is an individual who at all times relevant hereto, lived in Coventry, Rhode Island. Mr. Sanetti was injured as a patron of The Station night-club on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(270) The plaintiff, Patricia Sanetti, is an individual who at all times relevant hereto, lived in Coventry, Rhode Island. Ms. Sanetti is the wife of Richard Senetti who was injured as a patron of The Station night-club on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(271) The plaintiff, Catherine Carignan, is an individual who at all times relevant hereto, lived in Coventry, Rhode Island. Ms. Carignan was injured as a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(272) The plaintiffs, Estate of Edward Corbett, III, by and through Edward Corbett, Jr., Administrator, are individuals, and at all times relevant hereto, Edward Corbett, III lived in West Warwick, Rhode Island, and (a) Edward Corbett, Jr., is a resident of Florida. Mr. Corbett III was a patron of The Station night-club on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club. Mr. Corbett's appointment as Administrator of the plaintiff's Estate is pending in a Florida Probate Court.

(273) The plaintiffs, Estate of Lori K. Durante, by and through Paul and Betty Roe, as Co-Administrators, are individuals who at all times relevant hereto lived in North Kingstown, Rhode Island. Ms. Durante was a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club. Mr. and

Mrs. Roe's appointment Co-Administrators of the plaintiff Estate by the North Kingstown Probate Court is pending.

(274) The plaintiff, Daniel Davidson, is an individual who at all times relevant hereto, lived in Wyoming, Rhode Island. Mr. Davidson was injured as a patron of The Station night-club on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(275) The plaintiff, Jacinto Botelho, is an individual who at all times relevant hereto, lived in Pawtucket, Rhode Island. Mr. Botelho was injured as a patron of The Station night-club on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(276) The plaintiff, Loree Griffith, is an individual who at all times relevant hereto, lived in Phoenix, Arizona. Ms. Griffith was injured as a patron of The Station night-club on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(277) The plaintiff, Shane Embelton, is an individual who at all times relevant hereto, lived in Middleboro, Massachusetts. Mr. Embelton was injured as a patron of The Station night-club on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(278) The plaintiff, Catherine Carignan, is an individual who at all times relevant hereto, lived in Coventry, Rhode Island. Ms. Carignan was injured as a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

(279) The plaintiffs, Estate of Lori K. Durante, by and through Paul and Betty Roe, as Co-Administrators, are individuals who at all times relevant hereto lived in North Kingstown, Rhode Island. Ms. Durante was a patron of The Station nightclub on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club. Mr. and Mrs. Roe's appointment Co-Administrators of the plaintiff Estate by the North Kingstown Probate Court is pending.

(280) The plaintiff, Daniel Davidson, is an individual who at all times relevant hereto, lived in Wyoming, Rhode Island. Mr. Davidson was injured as a patron of The Station night-club on February 20, 2003, when the building caught fire and burned to the ground following the use of pyrotechnics by a band performing within the club.

Plaintiffs,
By their Attorneys,
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